

RESOLUTION NUMBER R- 314622

DATE OF FINAL PASSAGE MAR 10 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FINAL SETTLEMENT BETWEEN DENISE CAZARES, THE ESTATE OF JESUS CAZARES, JAVIER MORALES, AND THE CITY OF SAN DIEGO.

WHEREAS, On June 6, 2019, Plaintiffs Maria Cazares, Denise Cazares and the Estate of Jesus Cazares filed suit against the City of San Diego, et al. alleging wrongful death arising from a vehicle collision that occurred on September 3, 2018 when a police car collided with Jesus Cazares. The suit is entitled *Maria Cazares, et al. v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2019-00028771-CU-PO-CTL (“the Litigation”); and

WHEREAS, in closed session on January 9, 2023, the San Diego City Council, by the following votes: Yeas, Districts 1, 3, 4, 5, 6, 7, 8, and 9; Nays, none; Absent, District 2, approved the settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council:

1. Authorizes the Mayor or his designee to pay the sum of \$350,000 from Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and

employees, arising from the personal injury complaint filed by Plaintiffs Denise Cazares and the Estate of Jesus Cazares; and

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$350,000 from Public Liability Fund No. 720045, for the purpose of settling this claim.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Stacy J. Plotkin-Wolff
Senior Chief Deputy City Attorney

SJP:mgm
January 9, 2023
Or.Dept: City Attorney
CC No. "INSERT Comptroller's Certificate #"
Doc. No. 3186322

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 28 2023

DIANA J. S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 3/9/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 28 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 10 2023.

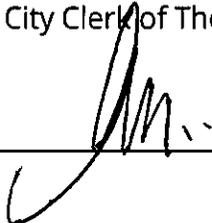
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA I.S. FUENTES
Interim City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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